Minnesota court would refrain from proceeding until the Nebraska suit had been finally settled. Only one other decision squarely in point has been found and that reaches directly the opposite result. *Fisher v. Pacific etc., Ins. Co.* (1916) 112 Miss. 30, 72 So. 846. The argument of the Minnesota court may be summarized in two propositions: (1) if the plaintiff was a citizen of Minnesota she would be entitled to proceed in spite of the Nebraska injunction; (2) if so, a Nebraska citizen must be equally entitled to proceed, otherwise the court would violate Art. 4, Sec. 2 of the federal Constitution,—"the citizens of each state shall be entitled to all the privileges and immunities of citizens in the several states." As to the second point: where no question of injunction is involved, it has been held that citizens of other states are entitled, under the constitutional provision in question, to sue in state courts on so-called "transitory" causes of action arising elsewhere, if citizens of the state are so entitled. *Eingartner v. Illinois Steel Co.* (1896) 94 Wis. 70, 68 N. W. 664; *State ex rel. Prall v. District Court* (1914) 126 Minn. 501, 148 N. W. 463. *Contra: Robinson v. Oceanic Steam Nav. Co.* (1889) 112 N. Y. 315, 19 N. E. 625. We may doubt the applicability of this to the case in hand, where a Nebraska citizen is seeking to escape from the courts of her own state. If we accept it as applicable, we are brought to the other point, viz., whether a citizen of Minnesota under circumstances otherwise similar would have been entitled to have the court below proceed with the action. In answering this in the affirmative the court cited no authorities precisely in point. It appeared to them that to allow a Nebraska injunction to have the effect of depriving a Minnesota citizen of his right to go on with a suit in his own state would be to give the courts of another state undue control over Minnesota litigation. All that can be said is that a question of policy of this kind is one upon which views may differ, as is shown by the fact that the Mississippi court in the case cited reached the contrary result.

CONSTITUTIONAL LAW—DUE PROCESS OF LAW—REVOCATION OF LICENSE WITHOUT A HEARING.—The statutes of North Dakota authorized the Dairy Commissioner to issue licenses to creameries and cream stations and to revoke licenses "on evidence" that the licensee had violated or had been "convicted" of violating the dairy laws. They also made it unlawful to misread a certain Babcock test for determining the quality of milk. A dairy inspector reported to the Commissioner that the petitioner had misread the test, whereupon, without notice or a hearing, the Commissioner revoked the petitioner's license. The petitioner requested and obtained a hearing from the State Commissioner of Agriculture who, although without statutory authority to grant or hold a hearing, sustained the Dairy Commissioner's order revoking the license. On a petition for a writ of *certiorari* to review the action of the Dairy Commissioner, *held,* that the writ must be denied. *Cofman v. Osterhous* (1918, N. Dak.) 168 N. W. 826.

See COMMENTS, p. 391.

CONTRACTS—CONSIDERATION—PERFORMANCE OF EXISTING DUTY TO DEFENDANT.—The plaintiff was employed by the defendant by a written contract for one year from a certain date at $90 per week. Three months later a second written contract was made for one year from the same date for the same services at $100 per week. In an action for breach of the second contract the jury was instructed that the contract was valid in case the parties had rescinded the prior contract before executing the second. *Held,* that this was correct and that there